



VT DEC

Stormwater Program

Stormwater General Permit 3-9050

“Three-Acre General Permit”



Stormwater Program

- 13 staff
- Part of the Watershed Management Division in DEC
- Several permit programs
- > 4,000 actively regulated sites

Operational Permitting

- * Stormwater from impervious surface
- * New projects with 1 acre of impervious surface

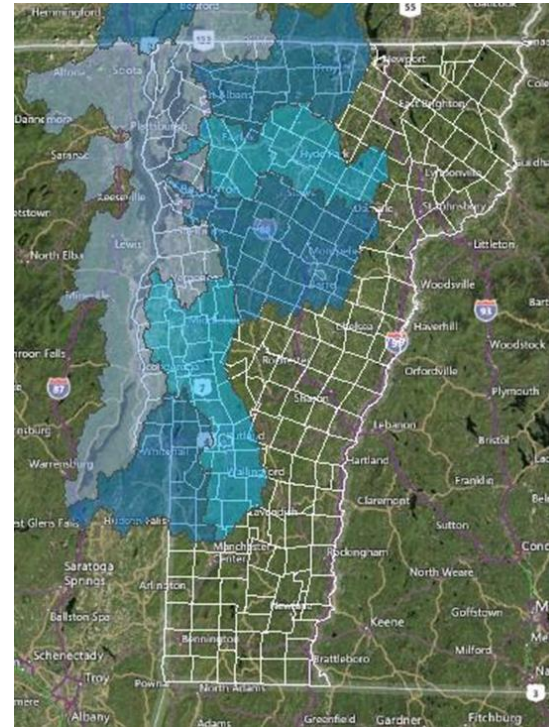




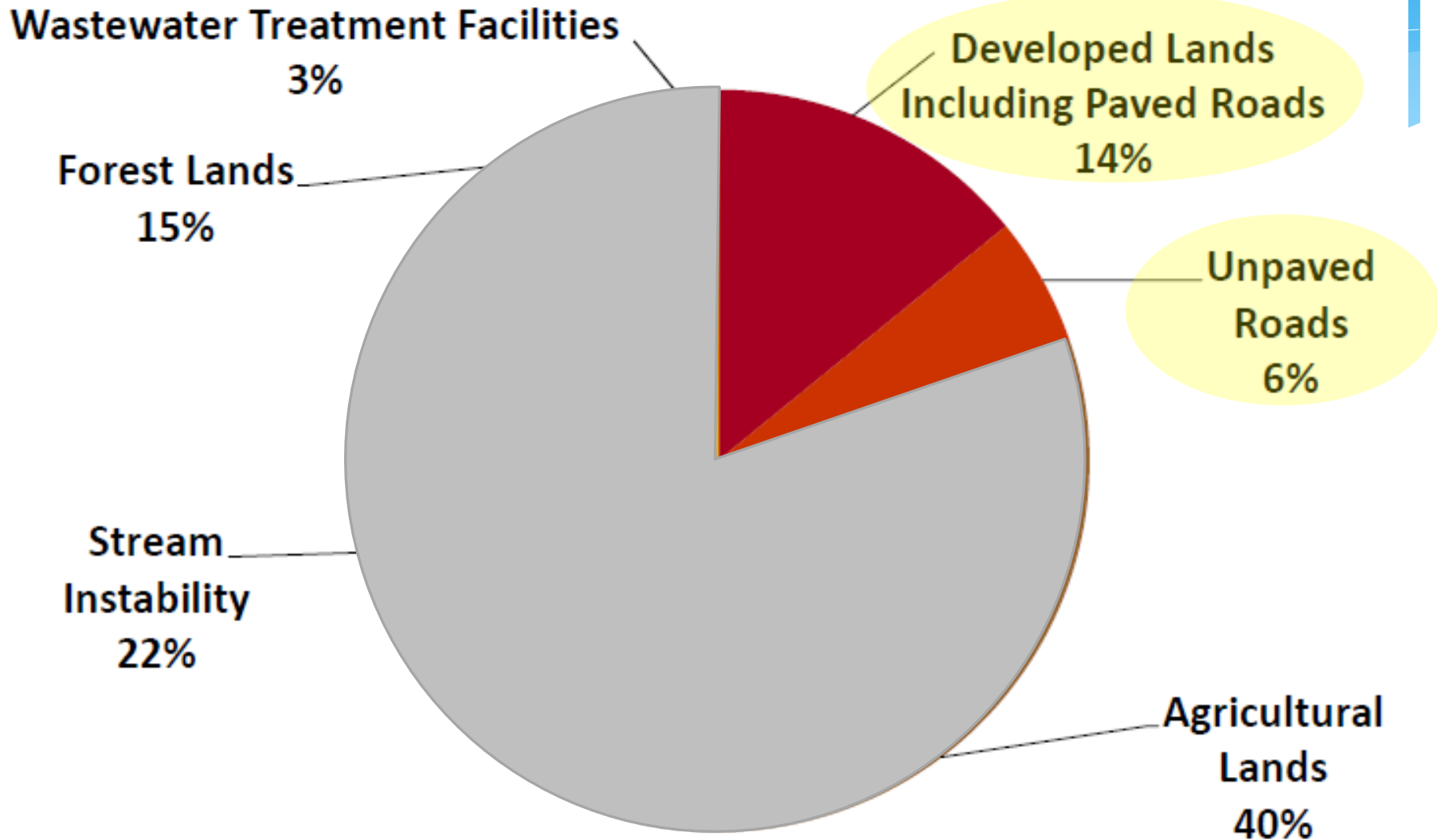
Impervious Surfaces

- 60,000 acres, statewide –roughly
- < 10% are currently regulated
- Development pre-dates regulations or is sub-jurisdictional

Lake Champlain Phosphorus TMDLs



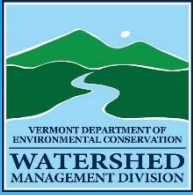
Sources of phosphorus in the Vermont portion of the Lake Champlain Basin (Preliminary estimates from Tetra Tech, 2013)





Stormwater Pollutant Loading

- Champlain TMDLs require a 21% reduction from “Developed Lands”
- How achieved?



Act 64 and Champlain TMDLs Requirements

- Municipal Roads General Permit
- MS4 General Permit
- TS4 General Permit
- New Stormwater Permitting Rule
- “3-Acre General Permit”



Stormwater Rule

- Adopted
- Went into effect on 3/15/2019



Stormwater Rule

- Covers all stormwater permit programs
- Establishes requirements for “3-acre Sites”

GENERAL PERMIT 3-9050 FOR OPERATIONAL STORMWATER DISCHARGES

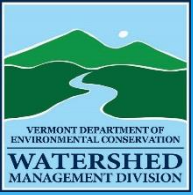
**(For “three-acre sites,” new development, redevelopment, and
permit renewal)**

- Effective 12/1/2020



3-Acre Site

- A single lot with ≥ 3 acres of impervious surface with:
 - no permit, or
 - a pre-2002 permit
- A multi-lot project with:
 - a pre-2002 stormwater permit for ≥ 3 acres of impervious surface
- And, adjacent impervious surfaces where part of a related operation, e.g. a campus



3-Acre Sites

- Roughly 1,000 3-acre sites statewide
- Half are previously permitted

List of sites subject to the 3 acre requirements of GP 3-9050

This list contains sites with three or more acres of impervious in the Lake Champlain, Lake Memphremagog, and stormwater-impaired watershed. The area of impervious surfaces is based on 2011 and 2016 GIS mapped data where available and may differ somewhat from what is on the ground. The impervious surface associated with a given project may not be reflective of the amount of impervious surface for which permit coverage is required. Affected property owners are being notified by the Department of their permitting obligations.

| Project # | Owner/ Permit Name | Location Address | Town | Permits | GIS Impervious Acres | Lake Segment | Stormwater Impaired Watershed |
|-----------|------------------------------|---|------------|------------------------|----------------------|-------------------|-------------------------------|
| 9050 | CF Real Estate Holdings LLC | 76 Hosmer Point | Albany | | 4.41 | Lake Memphremagog | |
| 8448 | Alburgh Golf Links Inc | 230 Route 129 | Alburgh | | 8.94 | Isle La Motte | |
| 8455 | Aime Bellavance & Sons Inc | 33 Smith St | Barre City | | 3.01 | Main Lake | |
| 3506 | Barre City Elementary School | 50 Parkside Terrace | Barre City | 3506-9010.R, 3506-9015 | 6.98 | Main Lake | |
| 8453 | City Of Barre | 20 Auditorium Hl | Barre City | | 7.04 | Main Lake | |
| 8454 | City Of Barre | Maple Av | Barre City | | 6.27 | Main Lake | |
| 8457 | City Of Barre | 69 Treatment Plant Dr | Barre City | | 3.32 | Main Lake | |
| 3531 | Country Way Subdivision | Country Way, Daniels Drive, | Barre City | 3531-9010.R | 7.20 | Main Lake | |
| 8452 | Highgate Housing Limited | 301 Prospect St | Barre City | | 6.91 | Main Lake | |
| 8451 | Metro Development One LLC | 21 Metro Way | Barre City | | 3.95 | Main Lake | |
| 8449 | Spaulding Union High School | 155 Ayers St | Barre City | | 9.72 | Main Lake | |
| 8456 | Swenson Granite Co LLC | 54 Willey St | Barre City | | 5.81 | Main Lake | |
| 8450 | Wall Street Investment Llp | 131 S Main St | Barre City | | 5.69 | Main Lake | |
| 4829 | Westwood Subdivision | Westwood Parkway, Palmisano Plaza, Arioli Ave | Barre City | 4829-9010 | 8.50 | Main Lake | |
| 8463 | Adams Granite Company | 58 Pitman Rd | Barre Town | | 4.52 | Main Lake | |
| 8464 | Auto Trek LLC | 61 Fisher Rd | Barre Town | | 8.33 | Main Lake | |
| 8461 | Barre Town (School Dist) | 70 Websterville Rd | Barre Town | | 11.22 | Main Lake | |



3-Acre General Permit

- Per Act 64:
 - Permit Coverage **No Later Than:**
 - Champlain and Memphremagog -2023
 - Rest of the State – 2033
 - General Permit establishes the specific schedule



3-Acre General Permit

- Permit Coverage for Previously Permitted Sites:
 - Apply prior to expiration
 - Currently expired: apply by 12/1/21
 - Application covers entire site



3-Acre General Permit

- Permit Coverage for Previously Unpermitted Sites:
- Lake Champlain TMDL Lake Segments:
 - Missisquoi Bay, Main Lake, Burlington Bay, and Shelburne Bay: 1/1/22
 - Other Champlain lake segments: 6/1/22
- Stormwater-impaired waters: 1/1/22
- Memphremagog: 1/1/23



3-Acre General Permit

- The rest of the state:
 - No Later Than 10/1/2033 –per Act 64



3-Acre General Permit

- Requirements for 3-Acre Sites
 - Retrofit stormwater system
 - Maximize treatment on site
 - Vermont Stormwater Management Manual
 - Redevelopment Standard (50% Water Quality Volume)
 - Channel Protection Standard (stormwater-impaired only)



Engineering Feasibility Analysis (EFA)

- For example, don't need to:
 - Purchase additional land
 - Lose use of structures, utilities, roads, or existing land use
 - Pump stormwater
 - Infiltrate such that basement floods or causes pollutant plume transport
 - Construct in flood plains or wetlands
 - Destruction of forests
 - Activities not approvable under a permit



Impact Fees

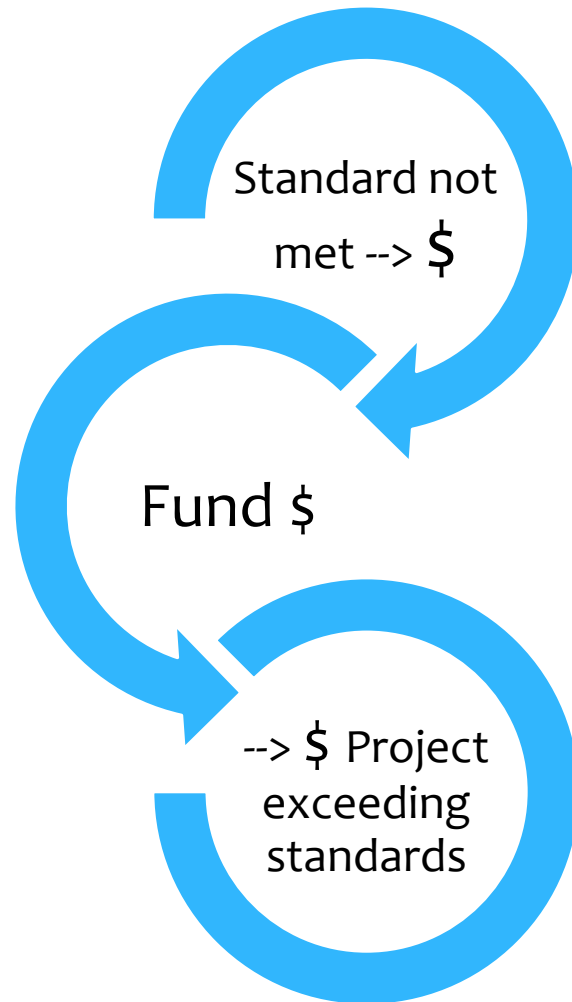
- Incentives - pay if you can't treat per the Engineering Feasibility Analysis
- All sites either install treatment practices or pay impact fees

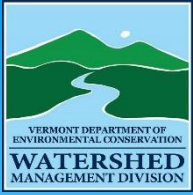


Impact Fees

- Channel Protection Standard
 - \$25,000 per acre of impervious surface
- Redevelopment Standard (50% of Water Quality Volume)
 - $\$25,000/\text{acre} * (\text{required volume} - \text{actual volume})$
 - $\$25,000/\text{acre} * (50\% - 0\%) = \$12,500/\text{acre}$

Impact Fees





Impact Fees Eligible Projects

- Stormwater Only
- Permit obtained
- Stormwater System Installed
- Apply for Fees



3-Acre Site Application Process

- Step One
- Initial Application (NOI)
 - Basic Project Information
 - Estimate of impervious surface
 - 18-month permit
 - Undertake Site Engineering
 - Acquire Funding



3-Acre Site Application Process

- Step Two
- Full Application (NOI)
 - Fully engineered plans
 - Engineering Feasibility Analysis
 - Pay Impact Fees
- Preliminary Review
 - Check-in before submitting final application
- 5-year permit
 - Construct Stormwater System



Funding

- Anticipated Costs
 - \$ Hundreds of Millions
- Funding necessary for success
- Funding programs under development
 - Green Schools Initiative –LCBP Funds
 - Clean Water Initiative Program (CWIP) Block Grants
 - SRF Funds



Next Steps

- Outreach Letters
 - All sites contacted
 - Additional outreach planned
- Training for Engineers
 - Winter 2021
- Funding
 - Partner with Water Investment Division
- Tracking and Reporting



What Else?

- Per Act 64, and included in GP 3-9050:
- July 1, 2022
 - 1-Acre threshold drops to 1/2-Acre!
 - Applies to new development and redevelopment, but not expansions
 - Helps reduce P from new development



Information

- Website
 - General Permit 3-9050
 - Stormwater Program Contacts
- <https://dec.vermont.gov/watershed/stormwater>
- E-mail Distribution List

Questions?

